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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/382,375	08/24/1999	JEFFRY JOVAN PHILYAW	PHLY-24.745	5136

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EXAMINER	
NGUYEN, HAI V	
ART UNIT	PAPER NUMBER
2142	19

DATE MAILED: 03/10/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/382,375	PHILYAW ET AL.	
	Examiner	Art Unit	
	Hai V. Nguyen	2142	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *03* MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *21 January 2004*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-6 and 8* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-6 and 8* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1. This Office Action is in response to the communication received on 21 January 2004.

2. Claims 1-6, 8 are presented for examination.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4. Claims 1-6, 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Hudetz** et al. US patent no. **6,199,048 B1** in view of **Call** US patent no. **6,154,738**.

5. As to claim 1, Hudetz, System And Method For Automatic Access Of Remote Computer Over A Network, discloses a method for providing an interconnection relationship between a product and a desired location *(a desired resource)* on a global communications network *(Fig. 1, internet 20)*, comprising the steps of

disposing a machine readable product code on the product *(Abstract, col. 3, lines 24-37, swiping a bar code reader over the UPC symbol)*, the machine readable product code having encoded product information contained therein, the product code having no routing information embedded therein which would allow the product code, in and of

itself, to cause routing to the desired location over any path on the network *(col. 3, 38-67; col. 4, lines 1-31; col. 8, lines 11-67; col. 9, lines 1-67; col. 10, lines 1-3)*;

reading the machine-readable code at a user location on the network *(col. 10, lines 58-67; col. 11, lines 1-67; col. 12, lines 1-23)*;

in response to the step of reading the machine readable product code, and without user intervention, decoding the product code *(col. 9, line 55 - col. 12, line 23)*; However, Lowell does not explicitly disclose assembling a message packet containing the product information; transmitting the message packet to an intermediate code on the network having associated therewith a database. Thus, the artisan would have been motivated to look to the related internetworking art for potential methods and systems for implementing assembling a message packet containing the product information; transmitting the message packet to an intermediate code on the network having associated therewith a database.

In the same field of endeavor, Call, a related Methods And Apparatus For Disseminating Product Information Via The Internet Using Universal Product Codes, discloses in the internetworking art the assembling a message packet *(cross-references)* containing the product information; transmitting the message packet to an intermediate node *(Product Code Translator 101)* on the network having associated therewith a database. *Call discloses that in Fig. 2, manufactures submit the cross-references which relates their assigned universal product codes to associated internet addresses where information relating to their products may be obtained, col. 5, line 29 – col. 6, line 15). Call also suggests that the Product Code Translator as an Internet*

Resource, storing cross-references between universal product codes identifying specific products, and Internet addresses specifying the locations at which information about these products may be obtained (Call, col. 1, line 60 – col. 2, line 3).

Accordingly, it would have been obvious to one of ordinary skill in the networking art at the time the invention was made to have incorporated Call's teachings of the cross-referencing database to refer a product information inquiry to the server operated by the manufacturer, with the remainder of the product code being sent to the manufacturer's server to identify the particular product *(Call, col. 2, lines 35-52)* with the teachings of Hudetz, for the purpose of reducing the size of the cross-referencing database and further simplifying the process of registering manufacturers and maintaining the database *(Call, col. 2, lines 44-52).*

Hudetz-Call discloses converting in the database the decoded product code to routing information over the network to the desired location, which routing information, embedded within an instructional code, is returned to the user location and defines the manner by which a user or a computer at a user location wherein the machine readable code was read can communicate with the desired location via an interconnection therewith *(Call, Fig. 2; items 213, 215, 211; col. 2, lines 4-63; col. 5, lines 28 – col. 9, line 67).*

Hudetz-Call discloses receiving at the user location from the intermediate node on the network the instructional code that instructs the user node to connect to the desired location on the network *(Call, After the target URL is formed, the subroutine send_response returns an HTTP response to the requesting browser which reads:*

"Content-type: text/html\n location: $target \n\n" where the URL previously determined is substituted where $target appears. This message is interpreted by the web browser which receives the message as an indication that the requested information (requested from the URL http://www.uplink.com/cgi-bin/show$isbn=1234567890) has been relocated to the URL specified by $target. The requesting web browser than automatically resends the request to the location where the needed information is actually located, and does so in a way that is transparent to the user who will normally be unaware that the transmitted request has been redirected to a different location col. 18, lines 8-33); and

Hudetz-Call discloses connecting the user location to the desired location in accordance with the received instructional code such that connection to the desired location is connected by the intermediate code through the instructional code, wherein all connections to desired locations are controlled only by the intermediate node and not by any actions at the user location other than operation of **reading**, and wherein actions at the user location do not prevent connection or affect connection to the desired location *(Call, After the target URL is formed, the subroutine send_response returns an HTTP response to the requesting browser which **reads**: "Content-type: text/html\n location: $target \n\n" where the URL previously determined is substituted where $target appears. This message is interpreted by the web browser which receives the message as an indication that the requested information (requested from the URL http://www.uplink.com/cgi-bin/show$isbn=1234567890) has been relocated to the URL specified by $target. **The requesting web browser than automatically resends the***

request to the location where the needed information is actually located, and does so in a way that is transparent to the user who will normally be unaware that the transmitted request has been redirected to a different location, *col. 18, lines 8-33).*

6. As to claim 2, Hudetz-Call discloses the product code comprises a UPC *(Hudetz, Abstract, col. 6, lines 7-45; Call, Abstract).*

7. As to claim 3, Hudetz-Call discloses the product code comprises an ISBN *(Hudetz, Abstract, col. 6, lines 7-45; Call, col. 17, line 11 – col. 8, line 7).*

8. As to claim 4, Hudetz-Call discloses the product code comprises an EAN *(Hudetz, Abstract, col. 6, lines 7-45; Call, col. 4, lines 46-57).*

9. As to claim 5, Hudetz-Call discloses the routing information comprises a universal resource locator (URL) that comprises a unique locator on the network to the desired location *(Hudetz, col. 5, lines 55-67; col. 6, lines 1-6; Call, Fig. 2, items 213, 215).*

10. As to claim 6, Hudetz-Call discloses wherein the step of converting comprises:

providing the database *(Call, Fig. 1, item 101)* having stored therein an associative table which relates a plurality of product codes with associated locations on the network, each of the product codes having routing information to that associated location associated therewith (*Call, Fig. 2; items 213, 215, 211; col. 5, line 30 – col. 9, line 67)*; and

comparing the decoded information of the product code with the table in the database to determine the routing information *(Hudetz, Fig. 4; col. 7, lines 1-67; col. 8, lines 1-10; Call, Fig. 2, items 213, 215; col. 2, lines 4-63).*

11. As to claim 8, Hudetz-Call discloses the step of reading comprises scanning of the machine-readable code *(Hudetz, Fig. 8, item 236)* with a bar code scanner *(Hudetz, Fig. 8, item 220)* and wherein the machine-readable code comprises a bar code *(Hudetz, Fig. 8, item 236).*

Response to Arguments

12. Applicant's request for reconsideration as well as arguments filed on 21 January 2004 has been fully considered but they are not deemed fully persuasive.

13. In the remark, Applicant argued in substance that

(A) Prior art does not teach "connecting the user location to the desired location in accordance with the received instructional code such that connection to the desired location is connected by the intermediate code through the instructional code, *wherein all connections to desired locations are controlled only by the intermediate node and not by any actions at the user location other than operation of reading, and wherein actions at the user location do not prevent connection or affect connection to the desired location*" in the independent claim 1.

As to point (A), *Call discloses that " After the target URL is formed, the subroutine send_response returns an HTTP response to the requesting browser which* ***reads****: "Content-type: text/html\n location: $target \n\n" where the URL previously determined is substituted where $target appears. This message is interpreted by the*

web browser which receives the message as an indication that the requested information (requested from the URL http://www.uplink.com/cgi-bin/show$isbn=1234567890) has been relocated to the URL specified by $target. ***The requesting web browser than automatically resends the request to the location where the needed information is actually located, and does so in a way that is transparent to the user who will normally be unaware that the transmitted request has been redirected to a different location****," (Call, col. 18, lines 8-33).*

Conclusion

14. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hai V. Nguyen whose telephone number is 703-306-0276. The examiner can normally be reached on 6:00-3:30 Mon-Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jack Harvey can be reached on 703-305-9705. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JACK B. HARVEY
SUPERVISORY PATENT EXAMINER

Hai V. Nguyen
Examiner
Art Unit 2142

HN